

## REMARKS

### **A. Information Disclosure Statements**

On May 1, 2001 and September 24, 2001, Applicants filed Information Disclosure Statements regarding the above-identified patent application. The Information Disclosure Statements were received by the U.S. Patent Office as evidenced by the attached copies of the return post cards. The Office Action mailed on May 5, 2004 failed to confirm receipt of either one of the Information Disclosure Statements. Accordingly, Applicants request that confirmation of receipt of the Information Disclosure Statements be made in the next Office Action. In addition, Applicants request that the cited references be considered by the Examiner and that the corresponding 1449 forms be initialed evidencing that the references have been considered.

### **B. 35 U.S.C. § 112, Second Paragraph**

In the Office Action of May 5, 2004, claims 7 and 19 were rejected under 35 U.S.C. § 112, second paragraph, for lacking antecedent basis for the phrase “the at least one port identifier.” Claims 7 and 19 have been amended to change the offending phrase to read as “the port identifier.” Since the new phrase has proper antecedent basis, the rejection has been overcome and should be withdrawn.

It is noted that claims 7 and 19 have not been rejected based on the prior art. Accordingly, claims 7 and 19 have been amended so as to be in independent form and so should be allowed. To the extent a number of the amendments to claims 7 and 19 contain elements inherently present in the original claims, those amendments are not related to patentability. *See, Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd*, 535 U.S. 722 (2002). (hereinafter *Festo II*).

C. **35 U.S.C. § 102**

1. **Devine et al.**

a. **Claims 1 and 9-12**

Claims 1 and 9-12 were rejected under 35 U.S.C. § 102(e) as being anticipated by Devine et al. Claim 1 has been amended to clarify that “the number of interconnections is dependent on a type of security mode.” Devine does not disclose that the number of interconnections is dependent on a type of security mode. Accordingly, claim 1 and its dependent claims 9-12 are not anticipated by Devine et al. and so the rejection should be withdrawn.

b. **Claim 3**

Claim 3 was rejected under 35 U.S.C. § 102(e) as being anticipated by Devine et al. Claim 3 has been amended to recite that a “firewall blocks a transmission of an incoming data message through” the firewall “if the corresponding functions do not correspond to a function associated with processing the data message.” Devine et al. does not disclose monitoring functions to see if they are associated with processing a data message. Accordingly, the rejection is overcome and should be withdrawn.

Note that claim 3 has been amended so as to be in independent form. To the extent amendments add elements that are inherently present in the original claim, such amendments are not related to patentability. *See, Festo II.*

c.      **Claims 2, 4, 8, 13-16 and 20**

Claims 2, 4, 8, 13-16 and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Devine et al. Applicants traverse this rejection for several reasons. First, claims 13 and 15 have been canceled rendering their rejections moot. Second, claims 4 and 16 each recites a firewall as including “a quaternary interconnection for monitoring operations and maintenance of the internal resource affiliated with the internal communications network.” Devine et al. fails to disclose an interconnection that monitors operations and maintains an internal resource affiliated with an internal communications network. Note that the passage relied on by the Office Action is silent as to maintaining an internal resource affiliated with an internal communications network. Accordingly, the rejection is improper and should be withdrawn.

Note that claims 4 and 16 have been amended so as to be in independent form. To the extent amendments add elements that are inherently present in the original claim, such amendments are not related to patentability. *See, Festo II.*

Claim 2 has been amended so as to depend from claim 4 and claims 14 and 20 have been amended so as to depend from claim 16. The amendments are being made to provide further coverage for the inventions of claims 4 and 16 and so are not related to patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), overruled in part, 535 U.S. 722 (2002). (hereinafter *Festo I*).

d.      **Claims 5 and 17**

Claims 5 and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Devine et al. Claims 5 and 17 each recites that a “firewall has the nonnegative integer number of

interconnections only established for a limited duration on an as needed basis for communications between an internal resource of one business entity and another business entity.”

Devine et al. does not disclose a firewall only establishing interconnections for a limited duration on an as need basis for communications between an internal resource of one business entity and another business entity. It is noted that the Office Action makes an assertion that the second firewall is established for only a limited duration, but does not provide any specific recitation in Devine et al. that supports this assertion. If this assertion is repeated in the next Office Action, Applicants demand that the Office Action identify where Devine et al. supports the assertion. If no such identification is made, then it should be taken as an admission that Devine et al. does not support the assertion. For the above reasons, the rejection is improper and should be withdrawn.

Note that claims 5 and 17 have been amended so as to be in independent form. To the extent amendments add elements that are inherently present in the original claim, such amendments are not related to patentability. *See, Festo II.*

## 2. CERT

Claims 21-29 were rejected under 35 U.S.C. § 102(b) as being anticipated by the CERT reference. Claims 21-29 have been canceled rendering the rejection moot. Accordingly, the rejection should be withdrawn.

## D. 35 U.S.C. § 103

### 1. Claim 6

Claim 6 was rejected under 35 U.S.C. § 103 as being obvious in view of the Lucent LMF reference. Claim 6 depends directly on claim 1. As mentioned above in Section B.1.a, claim 1

recites that the “the number of interconnections is dependent on a type of security mode.” Since the LMF reference does not disclose nor suggest that the number of interconnections is dependent on a type of security mode, the rejection is overcome and should be withdrawn.

## 2. Claim 18

Claim 18 was rejected under 35 U.S.C. § 103 as being obvious in view of the Lucent LMF reference. Claim 18 depends directly on claim 16. As mentioned above in Section B.1.c, claim 16 recites a firewall as including “a quaternary interconnection for monitoring operations and maintenance of the internal resource affiliated with the internal communications network.” Since the LMF reference fails to disclose or suggest an interconnection that monitors operations and maintains an internal resource affiliated with an internal communications network. Accordingly, the rejection is overcome and should be withdrawn.

Claim 18 has been amended so as to depend from claim 16. The amendment is being made to provide further coverage for the invention of claim 16 and so is not related to patentability as defined in *Festo I*.

## E. New Claims 30-54

New claims 30-54 depend directly or indirectly on independent claims 1, 3-5, 7, 17 and 19 and so are patentable for at least the same reasons given above in Section B.1.

Claims 30-54 have been added to provide additional coverage for the inventions of claims 1, 3-5, 7, 17 and 19 and so are not related to patentability as defined in *Festo I*.

## F. New Claims 55-56

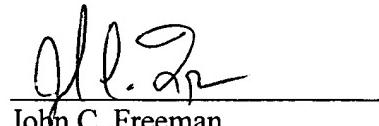
Claims 55-56 have been added to provide additional coverage for a method for providing

security for an electronic transaction between entities over a communications network and so are not related to patentability as defined in *Festo I*.

## **CONCLUSION**

In view of the arguments above, Applicants respectfully submit that all of the pending claims 1-12, 14, 16-20 and 30-56 are in condition for allowance and seeks an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

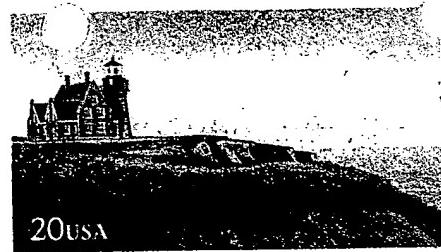
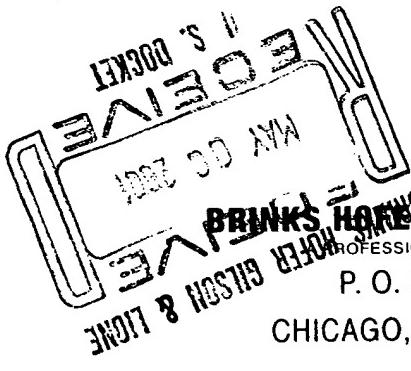
Respectfully submitted,



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Case No. 10022126  
Applicant *Cornelius*

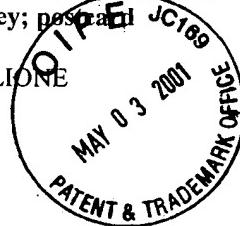
Director of The United States Patent & Trademark Office  
Washington, D.C. 20231

Serial No: 09/710,155

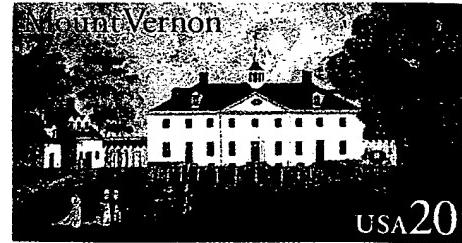
Information Disclosure Statement (and Listed Document);  
Form PTO-1449; Power of Attorney in Non-Provisional  
Application Letter; Power of Attorney; *postcard JC189*

BRINKS HOFER GILSON & LIONE  
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Date of Mailing: May 1, 2001



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Case No 10022/26  
Applicant

Director of The United States Patent & Trademark Office  
Washington, D.C. 20231

Client/Matter: 10022/26  
Applicant: CORNELIUS et al.  
Title: ELECTRONIC SECURITY SYSTEM AND SCHEME FOR A  
COMMUNICATIONS NETWORK

Serial No.: 09/710,155

Filing Date: November 9, 2000



Items Mailed:

1. Transmittal Letter (*in dupl.*);
2. Supplemental Information Disclosure Statement;
3. Form PTO-1449 and cited reference
4. Copy of PCT International Search Report; and
5. Return post card.

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Due Date: November 15, 2001

Date of Mailing: September 24, 2001